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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,983	07/03/2001	Raymond A. DeVries	ATS-01	3273

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LAW OFFICE OF DAVID L. TINGEY
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RENTON, WA 98055

EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/681,983

Applicant(s)

DEVRIES ET AL.

Examiner

Ronald Laneau

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-43 are presented for examination.

Claim Objections

2. Claims 4-7 and 32-34 are objected to because of the following informalities:

In claim 4, line 8, in claim 5, line 4 and in claim 32, line 52, the limitations "according to figure 20" is improper. Applicant cannot refer to a figure in the claims and is therefore requested to change such language in the claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 32-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 32 is indefinite because the periods (.) placed at the end of lines 33, 39, 51 and 52 are improper. Only one period is allowed in a claim and that is placed at the end of the claim. Applicant is requested to remove the periods (.) and insert a comma (,) instead.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Costello et al (US 2002/0116281) in view of Short, III et al (US 2002/0188702).

As per claims 1-3, 12-22, 25, 26, 32-38, 40, and 41, Costello et al teach a computerized asset inventory and tracking system comprising a central computer (40, fig. 1) with memory, a plurality of remote computer workstations (client computers 10a, fig. 1) in electronic communication with the central computer (40, fig. 1), at least one workstation (inventory workstation, fig. 2) located at each of a plurality of parts inventory stations (fig. 20, including shipping and receiving stations, a plurality of database tables accessible in common by one or more of said workstations, said tables including a table of parts inventory in which an inventory

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of parts is recorded (fig. 1, 30a, 30b) and a tracking table (page 5, [0051], lines 11-16), wherein said workstations include a system administrator workstation, a normal, or general, workstation, a transportation workstation, an order workstation, a sales workstation, a shipping and receiving workstation, wherein said workstations access selected modules, a banking workstation, a supplier workstation (fig. 2). The tracking system taught by Costello et al is capable of recording arrival and departure of shipments from respective workstations as claimed.

Costello et al do not teach a plurality of software modules selectively residing in the workstations but Short, III et al teach a plurality of software modules (fig. 3C, 3041, 3043, 3045) selectively residing in the workstations and operating on the tables and whereby said tables are maintained and queried in locating and tracking parts (page 8, [0079], lines 1-1-9), a database container parts table wherein contents of a shipping container in which parts may be shipped are recorded, wherein one or more of the database tables reside in the memory of the central computer page 9, [0089], lines 11-12), a software inventory module programmed to record inventory at a workstation address by maintaining an inventory record in an inventory table (page 8, [0078], lines 1-9), said inventory record including part number, quantity, and unit price, a request table and inventory transfer instructions in the inventory module to check for inventory transfer requests in the request table, which table residing on the central computer records transfer requests from other workstations, wherein upon acceptance of a transfer request initiates an inventory transfer (page 8, [0078], lines 1-9),

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the plurality of software modules as taught by Short, III et al into the device

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of Costello et al because it would provide tools to enable easy interfacing when tracking any object that can be transported into our roadways, highways, waterways, airways, and the like.

As per claims 4-7, Costello et al teach a system wherein said workstations include a system administrator workstation, a normal, or general, workstation, a transportation workstation, an order workstation, a sales workstation, a shipping and receiving workstation, wherein said workstations access selected modules, a banking workstation, a supplier workstation (fig. 2).

As per claims 8-11, 23, 24, 27-31, 39, 42, and 43, Short, III et al teach a shipping module and wherein each container is issued a tracking identification (tracking ID) by the shipping module which tracking ID serves as an identifying code in the several tables to locate and track various parts and shipment containers (page 8, [0079], lines 11-18), authorization information to be provided to the user before the user takes the order from the customer and that includes for example a reference number, a department name, an invoice number, other information (purchase order, customer contracts etc) (page 5, [0043], lines 1-5).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Squeglia et al (US 2002/0156692) teach a method and system for managing supply of replacement parts of a piece of equipment.

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- Kralj et al (US 5,971,592) teach a method for inventory and shipping control allowing for the tracking and control of reusable item having data storage devices by the storage and retrieval of data onto data storage device of reusable item.
- Ludwig et al (US 2003/0033224) teach product identity preservation and tracing wherein a system is described that tracks lots of these products from their creation through the entire storage and transportation process.
- Hsiao et al (US 6,687,609) teach a mobile-trailer tracking system and method.
- Mizushima et al (US 2003/0101106) teach a concentrated physical distribution management system to be used in the delivery of ordered cargo to a destination that is configured as a site capable of communicating mutually by using communication network.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald Laneau
Examiner
Art Unit 3627

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MICHAEL CUFF
PRIMARY EXAMINER